

Chairman

DAVID M. BARASCH

Phone: (717) 346-8300

Fax: (717) 346-8350

www.gamingcontrolboard.pa.gov



PENNSYLVANIA GAMING CONTROL BOARD

P.O. BOX 69060

HARRISBURG, PENNSYLVANIA

17106-9060

MEETING MINUTES

WEDNESDAY, NOVEMBER 20, 2019 – 10:00 a.m.

STRAWBERRY SQUARE COMPLEX, 2ND FLOOR, HARRISBURG

Commissioners

OBRA S. KERNODLE IV

SEAN LOGAN

T. MARK MUSTIO

MERRITT C. REITZEL

DANTE SANTONI, JR.

DENISE J. SMYLER

Ex-Officio Members

C. DANIEL HASSELL

RUSSELL C. REDDING

JOSEPH M. TORSSELLA

A meeting of the Pennsylvania Gaming Control Board was held at the Pennsylvania Gaming Control Board Office of Hearings and Appeals, Strawberry Square Complex, 2nd Floor, Harrisburg, PA.

MEMBERS OF THE BOARD:

David M. Barasch, Chairman

Obra S. Kernodle, IV

Sean Logan

T. Mark Mustio

Merritt C. Reitzel

Dante Santoni, Jr.

Denise J. Smyler

EX-OFFICIO MEMBERS/DESIGNEES IN ATTENDANCE:

Christin Heidingsfelder, Designee, Department of Revenue

Jennifer Langan, Designee, Pennsylvania Treasury

Fred Strathmeyer, Designee, Department of Agriculture

PA GAMING CONTROL BOARD EXECUTIVE STAFF WHO APPEARED BEFORE THE BOARD:

Kevin O'Toole, Executive Director Report – Board Insurance Coverage Renewal

Danette Bixler George, Director, Human Resources – Personnel Matters

Chad Zimmermann, Assistant Chief Counsel – Regulation

R. Douglas Sherman, Chief Counsel – Petitions

Steve Cook, Deputy Chief Counsel – Withdrawals/Surrenders and Report and Recommendations

Susan Hensel, Director, Bureau of Licensing - Applications, Licenses, Registrations and Certifications

Pamela Lewis, Board Secretary

Cyrus Pitre, Chief Enforcement Counsel – Enforcement Actions

Office of Enforcement Counsel – Also presenting:

Dustin Miller, Deputy Enforcement Counsel

Assistant Enforcement Counsel: John Crohe and Thomas Monaghan

OTHER ATTENDEES FOR MEETING AND/OR PUBLIC HEARING:

K.S.

F.M.

A quorum of the Board being present, Chairman Barasch called the meeting to order.

ANNOUNCEMENTS

The Chairman announced that the Board held an Executive Session on November 19th to discuss personnel matters and to conduct quasi-judicial deliberations relating to matters coming before the Board on

November 20th. The Board also took a brief recess during the public meeting to discuss Petitions of K.S. and F.M.

MINUTES/TRANSCRIPT

On a motion by Commissioner Kernodle, seconded by Commissioner Logan, the Board unanimously approved the minutes and transcript of the October 2, 2019 meeting.

EXECUTIVE DIRECTOR'S REPORT

PGCB MOTION NO. 2019-389 EXE

Motions: 1st–Board Member Smyler / 2nd–Board Member Reitzel

The Board hereby approved the Renewal of **BOARD INSURANCE POLICIES** as follows:

- Director's and Officer's Liability Insurance
- Excess Management Liability Insurance; and
- Employment Practices Liability Insurance

The policies are due for renewal annually on December 5, 2019 and are authorized by Section 1202 of the Pennsylvania Race Horse Development and Gaming Act.

Board Decision: Passed by unanimous vote

HUMAN RESOURCES

PGCB MOTION NO. 2019-390 HR

Motions: 1st–Board Member Logan / 2nd–Board Member Mustio

The Board hereby approved the following applicants for hire:

- **KELCI SCIRROTTO**, Assistant Enforcement Counsel, Office of Enforcement Counsel; and
- **TOM GRUNWALD**, Investigator Supervisor, Bureau of Investigations and Enforcement

Board Decision: Passed by unanimous vote

OFFICE OF CHIEF COUNSEL

PGCB MOTION NO. 2019-391 OCC

Motions: 1st–Board Member Mustio / 2nd–Board Member Reitzel

The Board hereby adopted **FINAL-OMMITTED REGULATION #125-228** regarding the Table Game Rules of Play.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2019-392 OCC

Motions: 1st–Board Member Reitzel / 2nd–Board Member Santoni

The Board hereby denies **MOUNT AIRY #1, LLC's** Application for a Category 4 Slot Machine License.

Mount Airy is entitled to a refund equal to 75% of its successful bid amount (\$21,188,888.88) which amount to a \$15,891,666.60 refund. The Board denied the parties' blanket request for confidentiality in this matter and is filing, with the Board's Order, a non-confidential version of the record.

Docket Number: 8098-2018

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2019-393 OCC

Motions: 1st–Board Member Santoni / 2nd–Board Member Smyler

The Board hereby denied **MARLON FACTURA's** Petition for early reapplication of a Gaming Employee

Occupation Permit. Mr. Factura is ineligible to apply or qualify for a Gaming Employee Occupation Permit until after March 17, 2021.

Docket Number: 3718-2014

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2019-394 OCC

Motions: 1st–Board Member Smyler / 2nd–Board Member Kernodle

The Board hereby granted **LOUIS SGAMBETTERRA's** Petition for Early Removal from the PGCB Involuntary Exclusion List. Mr. Sgambetterra shall be removed from the list 5 business days from the date of this Order. This Order does not remove the Petitioner from any list he may be on at any licensed facility in the Commonwealth.

Docket Number: 4003-2015

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2019-395 OCC

Motions: 1st–Board Member Kernodle / 2nd–Board Member Logan

The Board hereby approved, without prejudice, the following **WITHDRAWALS AND SURRENDERS** as follows:

- Hao Tang – Withdraw Principal License Application; 8754-2019
- Bjorn Krantz – Withdraw Principal License Application; 8755-2019
- Christian Widhalm – Surrender Principal License; 8752-2019
- Thomas Graf – Surrender Principal License; 8745-2019
- Martina Kurz – Surrender Principal License; 8747-2019
- Peter Stein – Surrender Principal License; 8751-2019
- Barbara Feldmann – Surrender Principal License; 8746-2019
- CHR Corp., Rutter's Store 65 – Withdraw Video Gaming Terminal Establishment License and Surrender Conditional Video Gaming Establishment License; 8760-2019
- CHR Corp., Rutter's Store 71 – Withdraw Video Gaming Terminal Establishment License and Surrender Conditional Video Gaming Establishment License; 8761-2019
- CHR Corp., Rutter's Store 72 – Withdraw Video Gaming Terminal Establishment License and Surrender Conditional Video Gaming Establishment License; 8762-2019

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2019-396 OCC

Motions: 1st–Board Member Logan / 2nd–Board Member Mustio

The Board hereby adopted the Report and Recommendation of the Office of Hearings and Appeals which recommends the continued suspension of **COLLIN PATRICK JORDAN's** Gaming Employee Occupation Permit.

Docket Number: 8699-2019

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2019-397 OCC

Motions: 1st–Board Member Mustio / 2nd–Board Member Reitzel

The Board hereby rejected the Report and Recommendation of the Office of Hearings and Appeals regarding **K.S.'s** Petition for recovery of funds while on the PGCB Voluntary Self-Exclusion List. The Board will take steps to return \$20,000 of the \$25,000 confiscated funds from SugarHouse Casino. The remaining \$5,000 shall be retained by the Office of Compulsive and Problem Gambling. The Board

recognizes that all filings in this matter contain sensitive information and ordered that the entire file be placed UNDER SEAL.

Docket Number: 8462-2019

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2019-398 OCC

Motions: 1st–Board Member Logan / 2nd–Board Member Santoni

The Board hereby rejected the Report and Recommendation of the Office of Hearings and Appeals regarding **F.M.’s** Petition for Removal from the PGCB Voluntary Self-Exclusion be denied. F.M. shall be removed from the list 5 business days from the date of this Order. The Board recognizes that all filings in this matter contain sensitive information and ordered that the entire file be placed UNDER SEAL.

Docket Number: 8262-2019

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2019-399 OCC

Motions: 1st–Board Member Santoni / 2nd–Board Member Smyler

The Board hereby rejected the Report and Recommendation of the Office of Hearings and Appeals regarding **P.L.C.’s** Petition for Removal from the PGCB Voluntary Self-Exclusion be denied. P.L.C. shall be removed from the list. The Board recognizes that all filings in this matter contain sensitive information and ordered that the entire file be placed UNDER SEAL.

Docket Number: 8453-2019

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2019-400 OCC

Motions: 1st–Board Member Santoni / 2nd–Board Member Kernodle

The Board hereby rejected the Report and Recommendation of the Office of Hearings and Appeals and recommends that **MALLORY ANSPACH** be issued a Gaming Employee Occupation Permit. Exhibits which contain confidential information shall be sealed or redacted.

Docket Number: 8495-2019

Board Decision: Passed by unanimous vote

BUREAU OF LICENSING

PGCB MOTION NO. 2019-401 BOL

Motions: 1st–Board Member Kernodle / 2nd–Board Member Logan

The Board granted **SECOND STATE GAMING, LLC** a Video Gaming Terminal Operator License. Licensee shall pay any outstanding fees as determined by the Board within 10 days and agrees to the Statement of Conditions evidenced by its signature. *The following Principals and/or Key employees have submitted applications and all applicable fees for licensure in conjunction with this application:*

- ECL Penn Holdings, LLC - Docket #109556-1
- Gary Brewer- Docket #109564-1
- Marc Falcone - Docket #109568-1
- Ronald Winchell - Docket # 109560-1
- William Bork - Docket #63636-2
- Lance Griffith- Docket #109570-1
- Jennifer Caruso -Docket #109576-1

Docket Number: 109551

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2019-402 BOL**Motions:** 1st–Board Member Logan / 2nd–Board Member Mustio

The Board granted a Conditional Video Gaming Terminal Establishment Licenses to **C H R CORP., d/b/a RUTTER'S, Stores #53, #81 and #96**. Each Licensee shall pay a \$1,250 Establishment License Fee and any other outstanding fees as determined by the Board within 10 days and agrees to the Statement of Conditions evidenced by its signature. *The following Principals and/or Key employees have submitted applications and all applicable fees for licensure in conjunction with this application:*

- Rutter's Holdings, Inc. - Docket # 11204 7-1
- Terrence S. Hartman-Docket #111777-1
- Todd M. Rutter - Docket # 111778-1
- Tim L. Rutter-Docket #111774-1
- Scott E. Hartman - Docket #111772-1
- Christopher J. Reed- Docket #111779-1
- Brian D. Roadarmel - Docket # 111780-1
- Jere D. Matthews - Docket #111781-1
- Robert W. Perkins -Docket #111783-1

Docket Number: Store #53 (Docket # 122065-1); Store #81 (Docket #121379-1); Store #96 (Docket #17852-1)

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2019-403 BOL**Motions:** 1st–Board Member Mustio / 2nd–Board Member Reitzel

The Board granted a Gaming Junket Enterprise Renewal License to **GENE BELLETIERE**. Licensee shall pay any outstanding fees as determined by the Board within 10 days and agrees to the Statement of Conditions evidenced by its signature.

Docket Number: 59770-3

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2019-404 BOL**Motions:** 1st–Board Member Reitzel / 2nd–Board Member Santoni

The Board granted the **EXTENSION APPROVALS** for the following Conditional Licenses:

Coleman Music and Entertainment, LLC. – Cond. Terminal Operator License (111588-1); TSG Interactive US Services Limited—Cond. Interactive Gaming Operator License (109731); Rush Street Interactive PA, LLC—Cond. Interactive Gaming Operator License (110298); Nyx Digital Gaming (USA) LLC—Cond. Interactive Gaming Manufacturer License (10312); IGT Global Solutions Corp.—Cond. Interactive Gaming Manufacturer License (1060); TSG Interactive Services US Limited—Cond. Sports Wagering Operator License (109344-2); Rush Street Interactive PA, LLC—Cond. Sports Wagering Operator License (110298); Sports Information Services Limited—Cond. Sports Wagering Operator License (111766); 54th, LLC—Cond. VGT Establishment License (110174-1); Oasis Market, Inc.—Cond. VGT Establishment License (111627-1); Jiffy Mini Mart, Inc.—Cond. VGT Establishment License (108674-1)

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2019-405 BOL**Motions:** 1st–Board Member Santoni / 2nd–Board Member Smyler

The Board approved the following **PRINCIPAL AND KEY** Employee Licenses as follows:

HOLDINGS ACQUISITION CO.**Principal - Initial**

- Bruce Clarke Caughill, Director and Audit and Compliance Committee Member for affiliate licensee Rush Street Gaming, LLC, which provides oversight and consulting services to slot machine licensee Holdings Acquisition Co., LP – Docket #106141-2

Key Employee - Initial

- Timothy Raymond Mura, Slot Operations Manager – Docket #27535-7

MOUNT AIRY #1, LLC**Key Employee****Initial**

- Todd Evan Greenberg, Chief Operating Officer – Docket #110464-1

MOUNTAINVIEW THOROUGHBRED RACING ASSOCIATION, LLC**Key Employees - Initial**

- Joshua Tyler Pearl, Director, Sportsbook Operations – Docket #111745-1
- Timothy Soule, Director of Security – Docket #109886-1
- Dustin Thomas Dignman, Director of Finance – Docket #114902-1

PID, LLC**Key Employee - Renewal**

- Jennifer A. See, Director of Marketing – Docket #3209-4

SUGARHOUSE HSP GAMING, LP**Principal - Initial**

- Bruce Clarke Caughill, Director and Audit and Compliance Committee Member for affiliate licensee Rush Street Gaming, LLC, which provides oversight and consulting services to slot machine licensee Sugarhouse HSP Gaming, LP – Docket #106141-1

Key Employee - Initial

- Stephen Bryan Meloy, Director of Food & Beverage – Docket #36053-6

VALLEY FORGE CONVENTION CENTER PARTNERS, L.P.**Key Employee - Initial**

- Janet Maugans, Compliance Manager – Docket #64071-5

WASHINGTON TROTTER ASSOCIATION, INC.**Key Employees - Initial**

- Benjamin Lynn Baugh, Director, Slot Operations – Docket #114791-1
- Kimberly Ann Rego, Vice President of Human Resources – Docket #114642-1

BALLY GAMING, INC.**Principal - Initial**

- Stephen Richardson, Senior Vice President, Chief Compliance Officer, and Director of Corporate Security for Scientific Games Corporation. Scientific Games Corporation is the ultimate parent company to licensee Bally Gaming, Inc., and to conditional licensees OpenBet Technologies Limited and NYX Digital Gaming (USA) LLC – Docket #109926-1

THE UNITED STATES PLAYING CARD COMPANY**Key Employee - Initial**

- Scott Madding, Director of Global Casino Sales – Docket #100700-2

ACCEL ENTERTAINMENT GAMING (PA), LLC**Principal - Conditional Licensure**

- Karl Peterson – Chairman of Board of Directors for TPG Pace Holdings Corp. - Docket #8976-6

PRINCIPAL VGT AFFILIATES**Conditional Licensure**

- New Pace, LLC – 100% acquiring holding company of Accel Entertainment Gaming (PA) LLC (New Pace, LLC will be renamed to Accel Entertainment LLC at closing (scheduled to close November 20, 2019) - Docket #123369-1
- TPG Pace Holdings Corp. – 100% acquiring holding company of Accel Entertainment Inc. (New Pace, LLC) which is the 100% holding company of Accel Entertainment Gaming (PA), LLC (acquisition scheduled to close November 20, 2019) - Docket #121118-1

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2019-406 BOL**Motions:** 1st–Board Member Smyler / 2nd–Board Member Kernodle

The Board approved the issuance of 3 **TEMPORARY PRINCIPAL** and 4 **TEMPORARY KEY** Employee Credentials. *(Note: information pertaining to the names of these individuals can be found in the Order.)*

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2019-407 BOL**Motions:** 1st–Board Member Kernodle / 2nd–Board Member Logan

The Board approved the issuance of 406 **GAMING EMPLOYEE OCCUPATION PERMITS** (218 initial, 46 renewals, 62 G2 full permits, and 80 temporary G2 permits) and 109 **NON-GAMING EMPLOYEE REGISTRATIONS**. *(Note: information pertaining to the names of these individuals can be found in the Order.)*

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2019-408 BOL**Motions:** 1st–Board Member Logan / 2nd–Board Member Mustio

The Board **DENIED** the following Gaming and Non-Gaming Employee Applications.

GAMING EMPLOYEES

Elizabeth Chambers (G-2)

Sophar Srey

Cara McElroy

Bree Davis

Santi Rai

Marquise Cooper

Dennis Diamond

NON-GAMING EMPLOYEE

Aaron Mandy

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2019-409 BOL**Motions:** 1st–Board Member Mustio / 2nd–Board Member Reitzel

The Board approved the **WITHDRAWALS** of 2 Key, 21 Gaming and 5 Non-Gaming Employee Applications.

(Note: information pertaining to the names of these individuals can be found in the Order.)

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2019-410 BOL**Motions:** 1st–Board Member Reitzel / 2nd–Board Member Santoni

The Board approved the applications for **GAMING SERVICE PROVIDER REGISTRATION** as follows:

- Pioneer Contracting, Inc.
- Better Collective Tennessee, LLC (Formerly Rical, LLC)
- Sportech Racing, LLC

Board Decision: Passed by unanimous vote

OFFICE OF ENFORCEMENT COUNSEL**PGCB MOTION NO. 2019-411 OEC****Motions:** 1st–Board Member Santoni / 2nd–Board Member Smyler

The Board hereby approved the suspension of **GINA GHISOIU's** Gaming Employee Occupation Permit. Ms. Ghisoiu's Permit shall remain suspended until, at least, she completes the Accelerated Rehabilitative

Disposition (ARD) Program or the pending charge is otherwise resolved at which time either party may petition for further relief.

Docket Number: 8319-2019

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2019-412 OEC

Motions: 1st—Board Member Smyler / 2nd—Board Member Kernodle

The Board hereby approved the suspension of **JAMIE LYNN's** Gaming Employee Occupation Permit. The suspension shall remain in effect until further action of the Board, which either party to this proceeding may commence.

Docket Number: 8545-2019

Board Decision: Passed by unanimous vote

The Board approved the following additions to the PGCB Involuntary Exclusion List:

MOTION #	RESPONDENT	DOCKET #-2018-19	FIRST	SECOND	BOARD DECISION	SPECIAL CONDITIONS
2019-413 OEC	CHAWRON HENLEY	8470-2019	Kernodle	Logan	Unanimous	
2019-414 OEC	JUSTIN PENDLETON	8683-2019	Logan	Mustio	Unanimous	
2019-415 OEC	ANDREW MAPP	8569-2019	Mustio	Reitzel	Unanimous	
2019-416 OEC	YU ZHEN MA	8614-2019	Reitzel	Santoni	Unanimous	
2019-417 OEC	ANGEL L. PEREZ	8681-2019	Santoni	Smyler	Unanimous	
2019-418 OEC	MICHAEL NICHOLSON	8168-2018	Smyler	Kernodle	Unanimous	
2019-419 OEC	ROBERT SLADE	8464-2019	Kernodle	Logan	Unanimous	

ADJOURNMENT

On a motion by Board Member Logan, seconded by Board Member Mustio, the meeting was adjourned.

THE MINUTES WERE APPROVED BY THE PENNSYLVANIA GAMING CONTROL BOARD AT A PUBLIC MEETING ON THE 15th DAY OF **JANUARY 2020**.